

SERVICE DATE - DECEMBER 28, 2001**SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423****ENVIRONMENTAL ASSESSMENT****STB Docket No. AB-290 (Sub No. 221X)****Norfolk Southern Railway Company - Abandonment Exemption-
In Wise County, Virginia****BACKGROUND**

In the above entitled proceeding, the Norfolk Southern Railway Company (NS) has filed a notice of exemption under 49 CFR 1152.50 seeking exemption from the requirements of 49 U.S.C. 10903 in connection with the abandonment of its line of railroad between Milepost RC-0.0 at Russell Creek and Milepost RC-0.9 at Caledonia, Wise County, Virginia. A map depicting the rail line in relationship to the area served is appended to the report. If the notice becomes effective, the railroad will be able to salvage track, ties and other railroad appurtenances and to dispose of the right-of-way.

DESCRIPTION OF THE LINE

According to NS, there has been no local traffic on the line for two years and NS states that it is unlikely that there will be any prospect for increased traffic. NS describes the area surrounding the line as 10% commercial, 79% undeveloped wooded, and 20% residential. The line proposed for abandonment crosses Russell Creek, and passes through 100-year flood plains and wetlands associated with this waterway. NS states that it does not intend to alter the contour of the roadbed during salvage, and that it has no plans to undertake in-stream work, with salvage activities to be performed in the right-of-way whenever possible.

ENVIRONMENTAL REVIEW

NS submitted an environmental report that concludes the quality of the human environment will not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. NS served the environmental and historical reports on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's environmental rules [49 CFR 1105.7(b)]. We have reviewed and investigated the record in this proceeding.

Both the U.S. Fish and Wildlife Service (US FWS) and the Virginia Department of Game and Inland Fisheries have advised us that there are a number of species with federal status and species of concern in Wise County. According to these agencies, and our review, the species

most likely to be affected include a number of federally endangered or state endangered mussels which may occur in streams or waterways crossed by or adjacent to the rail line. Although US FWS concludes that if strict erosion control measures are taken the proposed abandonment is not likely to adversely affect these mussel species, the Virginia Department of Game and Inland Fisheries seeks coordination with NS prior to salvage to evaluate impacts to the mussel species. Accordingly, we will recommend the imposition of a consultation condition.

The U.S. National Geodetic Survey has advised us that one geodetic station marker, RV 158, may be affected by the proposed abandonment.

CONDITIONS

We recommend that the following environmental conditions be placed on any decision granting abandonment authority.

Prior to any salvage activities, NS shall consult with the Virginia Department of Game and Inland Fisheries, (Amy Martin at 804-367-2211) to evaluate potential impacts to federal and state endangered mussel species that may occur in waterways that are crossed by or are adjacent to the line proposed for abandonment.

The National Geodetic Survey (NGS) has identified one geodetic station marker that may be affected by the proposed abandonment. Therefore, NS shall notify NGS at least 90 days prior to any salvage activities that may disturb or destroy these markers so that plans can be made for their relocation.

CONCLUSIONS

Based on the information provided from all sources to date, we conclude that, as currently proposed, and subject to the recommended conditions, abandonment of the line will not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed abandonment would include denial (and, therefore, no change in operations), discontinuance of service without abandonment and continued operation by another operator. In any of these cases, the existing quality of the human environment and energy consumption should not be affected.

PUBLIC USE

If abandonment and salvage of the rail line does take place, the right-of-way may be suitable for other public use. A request containing the requisite four-part showing for imposition of a public use condition (49 CFR 1152.28) must be filed with the Surface Transportation Board and served on the railroad within the time specified in the Federal Register notice.

TRAILS USE

A request for a notice of interim trail use (NITU) is due to the Surface Transportation Board, with a copy to the railroad, within 10 days of publication of the notice of exemption in the Federal Register. However, the Board will accept late-filed requests as long as it retains jurisdiction to do so. This request must comply with the Board's rules for use of rights-of-way as trails (49 CFR 1152.29).

PUBLIC ASSISTANCE

The Board's Office of Public Services (OPS) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPS directly at (202) 565-1592 or mail inquiries to the Surface Transportation Board, Office of Public Services, Washington, DC 20423.

COMMENTS

If you wish to file comments regarding this environmental assessment, you should send an **original and two copies** to Vernon A. Williams, Office of the Secretary, Washington, DC 20423, to the attention of Dana White, who prepared this environmental assessment. **Please refer to Docket No. AB-290 (Sub-No. 221X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Dana White, the environmental contact for this case by phone at (202) 565-1552, fax at (202) 565-9000, or e-mail at whited@stb.dot.gov.

Recent events involving a principal postal facility within Washington, D.C., may affect for a period of time the receipt of materials mailed to the Board, as well as customer receipt of reply mail sent from the Board. Until the timely delivery of mail has been reestablished, the Section of Environmental Analysis (SEA) requests that individuals filing comments regarding this or other environmental assessments take the following additional steps to ensure receipt of their correspondence during the comment period:

1. Telephone or e-mail the environmental contact indicated above prior to the close of the comment period and inform them that you have mailed a comment.
2. If the comment has not been received, the environmental contact will discuss alternative modes of delivery.
3. Retain a copy of your comment for your records should alternative modes of delivery need be necessary.

SEA is committed to carrying out its duties to the public and regrets any inconvenience these new procedures may cause.

Date made available to the public: December 28, 2001.

Comment due date: **January 11, 2002 (15 days).**

By the Surface Transportation Board, Victoria Rutson, Chief, Section of Environmental Analysis.

Vernon A. Williams
Secretary

Attachment

MAP TO BE SCANNED